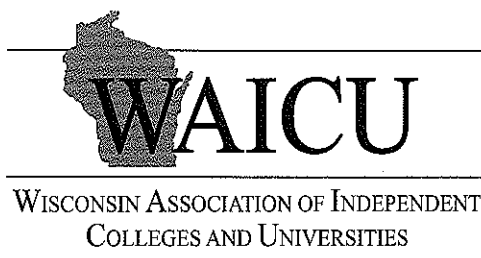


ALVERNO COLLEGE  
BELOIT COLLEGE  
CARDINAL STRITCH UNIVERSITY  
CARROLL UNIVERSITY  
CARTHAGE COLLEGE  
CONCORDIA UNIVERSITY  
EDGEWOOD COLLEGE  
LAKELAND COLLEGE  
LAWRENCE UNIVERSITY  
MARIAN UNIVERSITY



MARQUETTE UNIVERSITY  
MILWAUKEE INSTITUTE OF ART & DESIGN  
MILWAUKEE SCHOOL OF ENGINEERING  
MOUNT MARY COLLEGE  
NORTHLAND COLLEGE  
RIPON COLLEGE  
ST. NORBERT COLLEGE  
SILVER LAKE COLLEGE  
VITERBO UNIVERSITY  
WISCONSIN LUTHERAN COLLEGE

TESTIMONY  
on  
**2009 Senate Bill 126**

By  
Dr. Rolf Wegenke, President  
Wisconsin Association of Independent Colleges and Universities

**Senate Committee on the Environment**

April 14, 2009

Chairperson Miller and members of the committee, my name is Rolf Wegenke. I am the President of the Wisconsin Association of Independent Colleges and Universities, or WAICU, representing the 20 private colleges and universities in Wisconsin and their more than 59,000 students.

I am here today to enthusiastically support Senate Bill 126 that would extend the DNR's Environmental Improvement Program past its current sunset of July 1, 2009. WAICU's members are currently conducting voluntary environmental compliance audits under the program. The experience of my members exemplifies the type of environmental benefits the state is realizing through this program, and illustrates precisely the reasons this program needs to be extended.

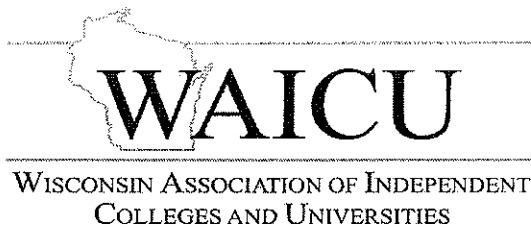
At WAICU-member colleges and universities, we teach an environmental ethic and an environmental aesthetic. This teaching is readily apparent in courses with the word "environmental" in their names, but in reality, the environmental ethic and aesthetic pervade the curriculum and student life. This commitment to environmental stewardship reached a culmination last year when WAICU entered into a joint agreement with Region V of the U.S. Environmental Protection Agency, and the Wisconsin DNR to undertake, at WAICU members' expense, environmental health and safety audits, and to remediate any issues identified—also at the colleges' expense.

WAICU's initiative goes beyond a simple one-time identification and remediation of compliance issues: it is a unique program that creates a corps of rigorously trained "peer auditors" from each of the participating campuses, who then conduct the audits of the other campuses. Once the audits are completed, each college is left with at least one trained auditor plus an electronic auditing template that gives each institution tools for future compliance needs.

This project is unique in its scope, execution, and completion and has been recognized at national conferences and other national organizations for pioneering the use of flexible electronic templates to identify, manage, and document findings in a complex environmental audit; and using trained auditors from peer institutions to conduct the audits.

The DNR Environmental Improvement Program made all of this possible and that is why WAICU supports the provisions of Senate Bill 126 that would extend this program beyond its July 1, 2009 sunset date.

ALVERNO COLLEGE  
BELOIT COLLEGE  
CARDINAL STRITCH UNIVERSITY  
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VITERBO UNIVERSITY  
WISCONSIN LUTHERAN COLLEGE

**Embargoed until:  
September 26, 2008**

## **Wisconsin's Private Colleges Launch Voluntary Environmental Health and Safety Inspections WAICU's Green Initiative Includes EPA and DNR Support**

**(Madison)** Wisconsin's private colleges are stepping forward with a green initiative that has won the support of the Environmental Protection Agency (EPA) and the Wisconsin Department of Natural Resources (DNR). The colleges and universities will perform voluntary self-audits to assure compliance with major environmental laws.

The pact, initiated by the Wisconsin Association of Independent Colleges and Universities (WAICU), calls for the schools to conduct the audits, which will be done by trained personnel from other colleges following state and federal guidelines. As part of the agreement, the schools have committed to promptly correcting any violations.

"We're taking this step to show our communities that we are not only dedicated to operating responsibly," said WAICU president Dr. Rolf Wegenke, "but to let them know we care about the environment and want to be good neighbors."

Wegenke praised Wisconsin Governor Jim Doyle for leading the state's commitment to environmental issues. "It is in the spirit of this Governor's proactive environmental stance that WAICU is stepping forward to do the right thing and do what is best for Wisconsin," said Dr. Wegenke.

EPA and DNR officials are also praising the WAICU schools for the voluntary inspections. The EPA has encouraged facilities to conduct their own audits, correct problems, and implement continuous improvement programs.

Wisconsin's DNR inspectors will review the disclosure reports and work with the EPA to confirm compliance with both state and federal environmental laws. DNR Secretary Matt Frank supports the WAICU plan and says it is a "credible way to assure high levels of statewide compliance."

Both Secretary Frank and EPA officials say the program will have a positive impact on Wisconsin's environment by eliminating potential problems before they occur. "We welcome this opportunity to work with Wisconsin private colleges on a smart, comprehensive approach to environmental management," said Tinka Hyde, EPA's Regional Director, Office of Enforcement and Compliance Assurance.

The audits began this month and the goal is to inspect four colleges per semester. Auditors will be looking at compliance levels with federal environmental standards including the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, and the Community Right-to-Know-Act.

The participating schools in this agreement include: Alverno College, Beloit College, Cardinal Stritch University, Carroll University, Carthage College, Concordia University, Edgewood College, Lakeland College, Marian University, Marquette University, Milwaukee School of Engineering, Mount Mary College, Northland College, Ripon College, St. Norbert College, and Silver Lake College.

Linda Bochert, attorney at law with the Madison firm of Michael Best & Friedrich, LLP serves as WAICU's legal counsel for this project. Turning Bird Consulting, Ltd. of Lancaster, Pennsylvania Mt. Pleasant, South Carolina, and Milwaukee serves as the project consultant.

WAICU was founded in 1961 and is the official organization of Wisconsin's twenty private colleges and universities and their 58,000 students.

For additional information:

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# THE WISCONSIN INDEPENDENT

Newsletter of the Wisconsin Association of Independent Colleges and Universities (WAICU)

WINTER 2008-2009 VOL. 40 NO. 4



WISCONSIN ASSOCIATION OF INDEPENDENT  
COLLEGES AND UNIVERSITIES

Alverno College  
Beloit College  
Cardinal Stritch University  
Carroll University  
Carthage College  
Concordia University  
Edgewood College  
Lakeland College  
Lawrence University  
Marian University  
Marquette University  
Milwaukee Institute of Art & Design  
Milwaukee School of Engineering  
Mount Mary College  
Northland College  
Ripon College  
St. Norbert College  
Silver Lake College  
Viterbo University  
Wisconsin Lutheran College

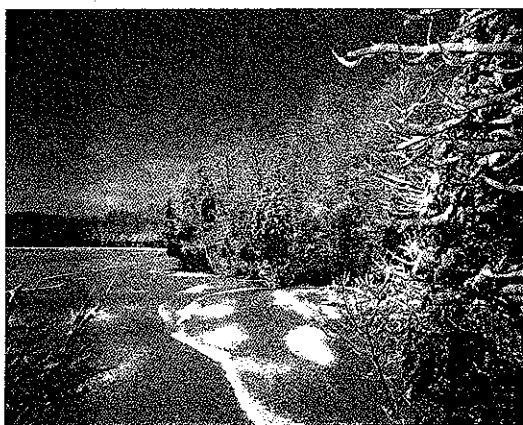
## INDEPENDENT INSIGHT

### When words are not enough: Doing well by doing good

The poet Alexander Pope (1688-1744) famously wrote: "The learn'd is happy nature to explore/ The fool is happy that he knows no more." The natural world is not something "over here" and education something "over there." The caricature of the academic world as so mired in the abstractions of the library and the laboratory that it is of no practical use is not even close to reality. Scientific breakthroughs alone—which

have for the most part arisen in colleges and universities—are laying the caricature to a well-deserved and overdue rest.

However, when we consider the natural world—perhaps today we would say the environment—there is more to be learned and more to be taught. At WAICU-member colleges and universities, we teach an environmental ethic and an environmental aesthetic. We



We all have a responsibility to the environment. We must, and do, practice what we teach.

*continued on page 7*

## Libby Burmaster: a "Friend of Independent Higher Education"

State Superintendent of Public Instruction Elizabeth Burmaster has been awarded the prestigious "Friend of Independent Higher Education" award.

WAICU president Dr. Rolf Wegenke praised Burmaster for her honesty in dealing with the challenges facing education and focusing always on the highest standards of excellence.

In accepting the award, Burmaster praised WAICU for demonstrating that "when groups work together with a common vision...[it helps assure that] students are ready for a lifetime of learning, ready for success in the workforce, and ready to be civically engaged citizens."

The WAICU award is the association's top honor recognizing recipients for their commitment to education. Past winners include U.S. Representative Thomas Petri, Governor Jim Doyle, and former University of Wisconsin System president Katharine Lyall. Burmaster is the first winner since 2003. ■



WAICU president Dr. Rolf Wegenke and State Superintendent Elizabeth Burmaster

## Making the most of a campus visit

The campus visit is a vital part of any student's college search.

There is no such thing as the best college, but there is such a college that is best for you.

WAICU and its member colleges and universities, through its *Guide to Admissions and Financial Aid*, and WisconsinMentor.org, our interactive site for students and counselors, can help educate on available majors, admission requirements, student volunteer activities, sports, living arrangements, and more. Indeed, WAICU's Student Access Center (studentaccess@waicu.org, 1-800-4DEGREE or 1-800-433-4733) has no other mission than to help publicize the facts. But, "feel" is just as important as the facts. And this is where the campus visit comes in.

As students decide on colleges which they will visit, they should be sure to include a wide range of colleges, including additional schools that may not have been, initially, a first choice. It will provide them with a broader perspective to compare each college to their interests and goals. Then, they should visit and visit again.

As students get ready to apply, encourage them to:

- Call ahead and ask the college to put together a schedule of activities including a campus tour, admission appointment, faculty visit, and lunch in the dining hall. You do not have to settle for a generic campus tour.
- While on the college campus, ask students about academic life, their relationships with faculty, and opportunities they have outside of the classroom.
- Read the college newspaper. Don't let negative articles about parking and food deter you—complaints are common at every college. The student newspaper is a good way to learn what the hot-button issues are on campus. It's also an indication of what students are doing when not in class.
- Save some time to walk around campus independently. Are people friendly or helpful? Sit down and observe students, faculty, and staff interactions. People-watch!

You want the “right” major and the

highest standards, but it is the people (faculty and students) who surround you who will make a major difference to your education. Connect with people who will be important to your education and you are on your way to a life-defining college experience.

Wisconsin Private College Week, July 13-July 18, 2009, is a great way to have a number of meaningful visits in a short period of time. Contact WAICU for more information. ■



The WAICU Student Access Center is supported in part by the Great Lakes Higher Education Guaranty Corporation.

## MID-YEAR COMMENCEMENTS

- **Alverno College** will hold its ceremony on December 20th in the Pitman Theatre on campus.
- **Cardinal Stritch University** will hold its graduation ceremony on December 14th.
- **Concordia University** will hold its graduation ceremony on December 13th at its Mequon campus. The guest speaker will be Dr. Kurt Krueger, president of the Concordia University System.
- **Edgewood College** will hold its winter commencement on December 14th at Exhibition Hall in the Alliant Energy Center. William Wilcox, president of the CBM Credit Education Foundation, will be the guest speaker.
- **Marian University** will hold its graduation ceremony on December 13th in the Sadoff Gymnasium.
- **Marquette University** will hold its graduation exercise on December 14th in the US Cellular Arena in Milwaukee.
- **Milwaukee School of Engineering** held its fall ceremony on November 22nd. Ernest Wirtanen, a 1941 graduate of MSOE, was the guest speaker. Mid-winter commencement is scheduled for February 28, 2009.
- **Viterbo University** will hold its commencement on December 13th in the Fine Arts Center Main Theatre.

Lawton consumer website features  
Wisconsinmentor.org as destination

In September, Wisconsin's Lieutenant Governor Barbara Lawton launched a new consumer website ([GuideForPennyPinchers.com](http://GuideForPennyPinchers.com)) with money-saving tips targeted to Wisconsin families.

Lawton's tips cover a range of topics from finding the best gas prices to cutting health care costs to suggestions on saving money on education.

In the education section there is a link to [WisconsinMentor.org](http://WisconsinMentor.org)—the interactive admission website for Wisconsin's private colleges and universities—as a student resource. [Wisconsinmentor.org](http://Wisconsinmentor.org) can also be used to apply for financial aid and receive free ACT/SAT test prep. ■

## Barbara's Guide for Penny Pinchers

Tuesday, September 23, 2008

Winston families are being supported by many others. My online Guide for Family Physicians is designed to be an easy place to go for Winston families looking for a doctor. And we've added online support for families from our 100+ members.

### Save on Gas

Search for the Cheapest Gas Near You - Get the best  
Find Cheap Gas in Your Area  
Find the Lowest Gas Prices in the Milwaukee Area  
Find the best deal on gas in your neighborhood

### Save on Travel

Tips on staying Ground Without a Car ...  
 20 Ideas for Increasing Your Earnings - see reference for  
 the Department of Energy - know which way was better  
 Wisconsin's 1976-77 Budget ...  
 Ask How to Increase Gas Sales ...  
 Wisconsin's National President ... ride with a friend, easy tools to connect you with  
 others  
 Wisconsin's Public Transportation Information  
 Wisconsin's DOT Traveling ...  
 Find an FBI gas station near you

### Save in the Home



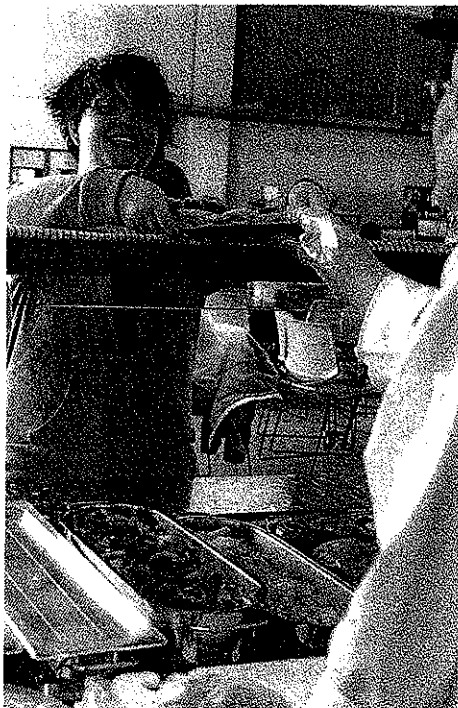
## "Tray-less" cafeteria shows going green saves green

### VITERBO UNIVERSITY

Like many Viterbo University students, Zach Johnson is happy the Marian Hall Dining Room eliminated trays. "It's a simple step that has had a positive impact on the environment," said Johnson, a sophomore English Education major from Hudson.

The 2007 decision to eliminate cafeteria trays has made a big impact, both environmentally and economically, at Viterbo. According to Mary Simota, director of campus dining, the switch saved more than 100,000 gallons of water that would have been used to wash the trays. The even more stunning number is that the school saved nearly three tons of food in the first two semesters. And that's just counting meals served Monday through Friday.

The old adage about someone's eyes being bigger than their stomach certainly held true in Viterbo's all-you-can-eat dining room. Before going tray-less, many students would



The "tray-less" cafeteria has saved close to three tons of food in two semesters.

take multiple plates of food and several beverages, much of which wasn't consumed.

Now, students can still eat as much as they want, but are limited to what they can carry. While a few students may consider this an inconvenience, Johnson said most understand the benefits.

The tray-less cafeteria move is just one part of a larger effort by Viterbo's president, Richard Artman, to embrace environmental responsibility. A university task force is drafting a list of recommendations that will promote conservation and sustainability. By next year the group will suggest a variety of short-term, low-cost projects that can easily be implemented as well as potential longer-term options.

Going tray-less was an innovation of Viterbo's food service provider, Aramark. Viterbo and Aramark have expanded the green initiative even further by using eco-friendly dishwashing soap and other supplies. Those steps have also reduced food waste and energy usage, resulting in even more savings.

"The tray-less transition has gone really well," Simota said. "And saving water and food makes everyone feel good." ■

## New transfer program eases admission process

### MOUNT MARY COLLEGE



Mount Mary policy streamlines student transfer process

A new agreement between Mount Mary College and the University of Wisconsin System now makes it easier for students to transfer to the private college.

Upon successful completion of their studies at one of the two-year UW campuses,

students will now be able to transfer all of their credits to Mount Mary College.

While students could transfer before, there were no guarantees that all of their UW credits would be accepted. The agreement, signed this summer, is aimed at students who have applied to complete their four-year baccalaureate degree at Mount Mary College.

"This agreement will help facilitate the smooth transfer of UW students to Mount Mary," said Dr. Eileen Schwalbach, Mount Mary's acting president. "The UW System provides students from across the state with an outstanding freshman and sophomore curriculum

designed to prepare them to complete their studies and earn bachelor's degrees in their chosen fields," added Schwalbach. "We're pleased to welcome these students to our campus, which has both a diverse student

body and engaging academic offerings." Majors from occupational therapy to fashion design to teaching have long been recognized for their excellence at the Milwaukee college.

UW students who have at least a 2.0 grade point average will be eligible to fully transfer their credits for admission to Mount Mary College. Students interested in specific programs such as education or pre-nursing (which serves as a gateway to the Columbia College of Nursing program) will be able to use the new transfer guidelines that outline course equivalencies between the schools. This will assist students in choosing coursework for a seamless transition to Mount Mary.

Mount Mary College is an undergraduate women's college which also admits men into the nursing program in partnership with Columbia College of Nursing. ■

## Visual resources design group expands clients and offerings

### MILWAUKEE INSTITUTE OF ART & DESIGN

The Visual Resources Design Group at the Milwaukee Institute of Art & Design has an impressive client list.

Equally impressive, though, are the caliber of the students in this honor's-level class and its core mission. For a nominal fee, regional nonprofit organizations can benefit from the work of the students in two- and three-dimensional design, digital, and multimedia services.

Each semester, eight students majoring in Communication Design or Illustration are selected through a highly competitive process for the class taught by director Fran Balistreri, a multitasking designer, artist, and educator who has received numerous national awards.

"The class allows students to take their theoretical and practical education and apply it to real-world experience through community service," said Balistreri.

Since 1992, Visual Resource's client list has grown to 300 and includes the Milwaukee Bar Association, Marquette

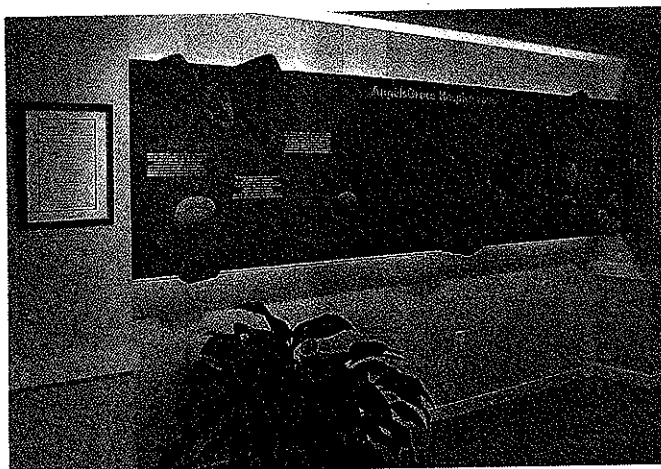
Association received a new identity and logo for its sesquicentennial celebration.

Visual Resources is currently on its fourth

project for ProHealth Care, having designed donor recognition walls for Oconomowoc Memorial Hospital and Angels Grace Hospice as well as a donor wall for the Waukesha County Community Dental Clinic. The design group is now working on a theme and identity for a fund-raising campaign and 100th anniversary event for Waukesha Memorial Hospital.

Kathie D. Strombom, executive vice president of the hospital's foundation, said, "From our first presentation in front of the class, to the students' presentations of their

designs, we were uplifted by the group's enthusiasm, talent, and freshness and amazed by their talents. We always know that our work is going to be unique and thoughtfully created." ■



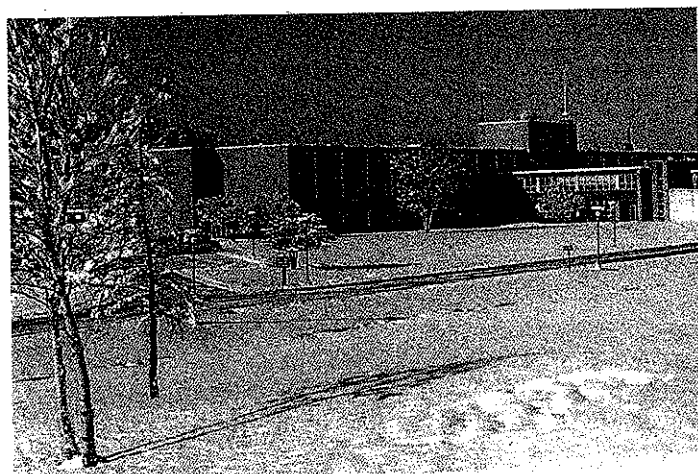
Donor Recognition Wall designed by MIAD's Visual Resources Design Group for ProHealth Care's AngelsGrace Hospice

University Biomedical Engineering Co-op, American Diabetes Association, ProHealth Care, Wisconsin Paralyzed Veterans of America, and WAICU.

This spring, the Milwaukee Bar

## Grant improves teaching and learning through technology

### SILVER LAKE COLLEGE



Silver Lake emphasizes real-world training in new program.

Silver Lake College has been chosen by the U.S. Department of Education to receive a prestigious Title III Grant. A priority of

the nearly \$2-million-dollar award will be to strengthen the college's information technology structure.

"This award signals the U.S. Department of Education's belief that we are prepared to respond to the needs of our students," said Silver Lake College president Dr. George Arnold.

The funds will also be used to implement a professional development program that helps college personnel capitalize on new technology through better training. Additionally, the grant will fund a new liberal arts competency assessment system and a new analytical research system for future student educational needs.

The final part of the initiative will create a hands-on system benefitting Silver Lake's students and faculty. Students will be able

to choose at least one experiential learning option during their studies. Faculty will also have access to an externship opportunity linking their academic field to practical applications.

That emphasis on "real-world" training is the cornerstone of Silver Lake College's broader effort to integrate a liberal arts education and professional studies. While experiential study options have been offered before, students will now have better access to more comprehensive experiential learning options. "That access," said the grant's primary author, Dr. Julie Mayrose, "means students will be better prepared to connect classroom lessons with the real world."

Dr. Mayrose hopes the same philosophy of practical training will also benefit faculty through externships where elements of their academic disciplines can be updated in creative ways. "An English professor may work shoulder-to-shoulder with web journalists or a biologist could work in the biomass industry," said Dr. Mayrose.

Silver Lake was the only Wisconsin post-secondary school added as a Title III grant recipient this year. ■



## Years of silence help students find their voice

### MARIAN UNIVERSITY

As part of a mandatory first-year seminar, students in Marian University's freshman class have begun their own journey of self-reflection by reading *Planet Walker* by Dr. John Francis.

*Planet Walker* is the story of how Dr. Francis took a vow of silence for 17 years and spent 22 years traveling only by foot after witnessing the devastation caused by a 1971 oil spill in San Francisco Bay.

Because of his commitment to silence and walking, Dr. Francis made life-altering decisions on behalf of the environment, earth stewardship, and world peace. Marian students are being challenged to interpret the message they find in *Planet Walker* and to evaluate how they could integrate some of the same philosophies into their own lives.

The book has two core messages, one about the environment and the other about Francis' personal journey to self-discovery. "The journey is the self-discovery, and the students can equate this to their college experience," said Jennifer Krueger, direc-

tor of First-Year Experience.

"They ask questions about how their decisions affect the world around them."

This is the second year a common book has been used in the first-year seminar and throughout the campus community. The seminar focuses on what it means to have a liberal arts education and to develop students' critical thinking skills. This is always done within the context of an issue related to social justice, such as environmentalism.

Faculty, staff, and in fact, the entire student body are also encouraged to read the book, which, this year, is on global warming.

First-year student Samantha Radke wrote, "John took this journey to find who he really is, which makes me more conscious of who I am. Now, I will treat my life as a journey and try to evaluate my



Dr. John Francis, author of *Planet Walker*

experiences in a positive and constructive way because if you take life for granted, you are missing an opportunity to make a difference." ■

## Medical master's program will focus on minority healthcare

### CARROLL UNIVERSITY

Improving healthcare for Hispanics is the primary target of a new physician assistant training program planned for Carroll University. Development of the program will be funded by a nearly \$600,000 grant from the Health Resources and Services Administration of the U.S. Department of Health & Human Services agency.

According to the U.S. Department of Labor, physician assistants rank among the fastest-growing occupations and demand is expected to keep growing through 2014. "We look forward to providing more student opportunities in healthcare to address Wisconsin's needs," said Carroll president Dr. Douglas Hastad, "and to working

with a wide variety of community partners."

Based on current capacity, Wisconsin's three physician assistant training programs will not fill the state's needs over the next decade. Carroll's program is expected to reduce the shortfall by 60 percent.

The Carroll program will focus on primary care with an emphasis on Hispanic

health issues and a goal of supporting Healthiest Wisconsin 2010, a statewide plan to eliminate healthcare disparities.

Carroll is seeking approval to award a Master of Science in Physician Studies degree; that program is in the process of accreditation review.

There has been extensive community support for the program. Dr. Russell Harland of Brookfield, a 1983 Carroll graduate and co-medical director of critical care medicine at ProHealth Care, will chair a group of healthcare professionals as curriculum advisors.

Other community partners include the City of Milwaukee Health Department; La Casa de Esperanza, a Hispanic agency in Waukesha; and LifeCare Hospitals of Wisconsin in Pewaukee. ■



Carroll's new physician assistant program is expected to help ease the provider shortage.



## Pedal power trumps horsepower in free bike program

### RIPON COLLEGE

**To:** Ripon College  
**From:** A 1998 GMC Jimmy  
**Subject:** What's with all the two wheelers?

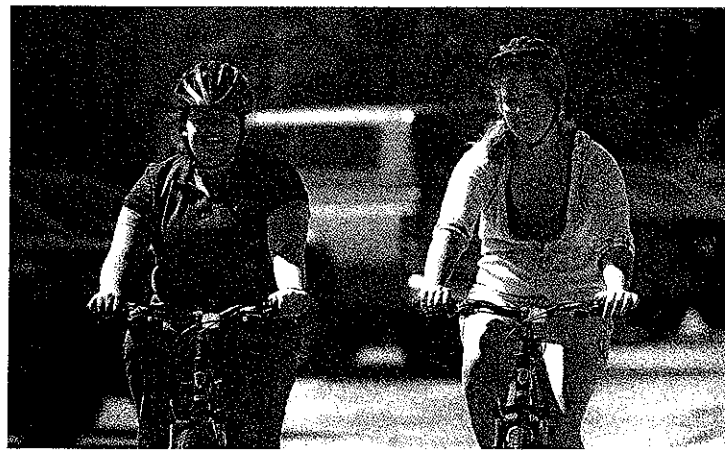
So I'm sitting in Lot N a few weeks back, cooling off from an exhilarating errand to Walgreens, when I see a student cruise by on a Trek mountain bike. "How quaint," I think. But then there's another, and another—all riding the same bike.

Turns out you guys have started the Ripon Velorution Project, where freshmen who pledge to leave their automobiles at home get a free bike, helmet, and lock.

I guess I was in denial, because I assumed only a desperate few would indulge such a silly offer. Imagine my surprise when I hear on the radio that more than half of the freshman class took the deal.

Who do you think you are? For a few gallons of gas plus insurance, registration, and maintenance I put out 190 horsepower at 4,400 RPM. What can a cyclist do? Like, 0.8 on a good day?

Sure, bikes are infinitely cheaper and easier to store and maintain, have zero emissions, contribute to the health and well-being of the rider, and are pound-for-pound



One truck's e-mail lament over a popular bike program

the most efficient mode of transportation ever conceived, but do they have a 6-disc CD changer?

As if that wasn't enough, now you've closed a pair of streets that bisect campus to create a pedestrian-only main campus with

additional green space. What a waste of money!

I think I speak for all automobiles when I say you must abandon this too-good-to-be-true sense. It'll never catch on. You'll be back. Right?

Unpublished

Unpublished

Unpublished

*Ripon's innovative bike program has been posted in sections of newspapers and regional print and television news outlets, including the FOX-TV live-action Magazine and the*

*Chronicle of Higher Education. The program has inspired other colleges around the nation to implement or expand similar initiatives.* ■

## Media focus on WAICU environmental efforts

Several national newspapers as well as the Wisconsin media have taken notice of two recent WAICU environmental projects.

In cooperation with the Environmental Protection Agency (EPA) and the Wisconsin Department of Natural Resources (DNR), the colleges and universities launched an environmental self-audit program in September. WAICU-member colleges and universities will, at their own expense, audit their campus for compliance with federal and state environmental laws, and, again at their own expense, remediate any problems found. WAICU president Dr. Rolf Wegenke explained, "with our commitment to the environment, we wanted to be proactive and not wait for the government inspectors to show up." The audit story was picked up by media as diverse as Yahoo News in India, newspapers in areas as diverse as San Francisco and Philadelphia, and several Wisconsin television and radio stations.

DNR Secretary Matt Frank endorsed the audit plan saying it is a "good way to assure high levels of statewide compliance."

The second "bright idea" saw WAICU colleges and universities replacing more than 25,000 light bulbs with high-efficiency compact fluorescents (CFLs). The effort will save money, energy, and reduce the carbon footprint of participating members. The program cost was underwritten by a Focus on Energy grant. ■



WAICU "going green" theme resonates with the news media.

## When words are not enough continued from page 1


teach that with the "is" there needs to be an "ought"; that from the "is" there should arise the "ah." Such teaching can turn up in separate courses with the word "environmental" in their names, but in reality, the environmental ethic and aesthetic pervade the curriculum and student life.

Colleges and universities also teach by how they operate. In the last edition of the *Independent*, I addressed the question, "Why can't colleges and universities be more like businesses?" by talking about our return on investment (ROI) and productivity. Now, I want to explain how Wisconsin's private colleges' and universities' business practices are also educational, are actually a species of teaching.

The article on page six, *Media focus on WAICU environmental efforts*, tells the story. WAICU, by entering into a voluntary agreement with the U.S. Environmental Protection Agency (EPA) and the Wisconsin Department of Natural Resources (DNR) to undertake environmental health and safety audits and to remediate any issues identified—both at our own expense—is actually teaching. So too is our partnership with Focus on Energy about more than light bulbs and reducing energy usage and costs—it is about teaching.

These are some of the things we are teaching: that all organizations—including colleges—and all individuals—including college administrators—have a responsibility for the environment; that we care about the health and safety of our students, staff, and neighbors; that we are eager partners with others who share this ethic; that it is possible to do well by doing good; that words are not enough; that we must and do practice what we teach.

Good teachers speak of the "teaching moment." For WAICU-member colleges and universities, every moment—and everything we do, including the way we operate our institutions—is a teaching moment.



Dr. Rolf Wegenke  
WAICU president



## WAICU BULLETIN BOARD

### KUDOS

- **Marquette University** president **Fr. Robert A. Wild, S.J.**, is the 2008 recipient of the Chief Executive Leadership Award for Region V of the Council of Advancement and Support of Education. Wild will receive his award at the region's annual meeting in December. Region V includes Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.
- **Kathleen O'Brien**, senior vice president for Academic Affairs at **Alverno College**, has won the 2008 Outstanding Achievement Award from Wisconsin Women in Higher Education Leadership (WWHEL).
- **Lori Neurohr**, a second-grade teacher at Kohler Elementary School with degrees from **Lakeland College** and **Cardinal Stritch University**, will represent Wisconsin in the National Teacher of the Year competition.
- **Daniel Johnson**, a Greendale third-grade teacher who earned his teaching certificate through **Carroll College**, has won a 2008 Milken National Educator Award.
- **Mandy Price**, a 2008 graduate of **Carroll College**, received the national Student Voluntary Service Award from the Association for Operations Management in September.
- The Waukesha School District recognized **Carroll University** with a 2008 Most Valuable Partner Award in honor of the Horizontes en Carroll pre-college program, which encourages economically disadvantaged youth to consider a college education.
- **Cathy Mathweg**, **Marian University's** Dean of Academic Advising and Academic support, was awarded the 2008 Wisconsin Academic Advising Association Leadership Award.
- **Carroll University's** American Chemical Society (ACS) Students Affiliates' chapter has been recognized with an Outstanding Award by the ACS Committee on Education. This is the tenth time in fourteen years the school has won the Outstanding Award.

### APPOINTMENTS AND ELECTIONS

- **Maria Flores** of Cudahy, a student at **Wisconsin Lutheran College**, has been appointed to the state Higher Educational Aids Board. **Jerry Curren**, a trustee at **Edgewood College**, has been reappointed to the board.
- **Mary Oling-Sisay**, vice president of student affairs at **St. Norbert College**, has been elected vice president of Wisconsin Women in Higher Education Leadership (WWHEL).

### PRESIDENTIAL MENTORS

- Presenters at the Presidents Institute sponsored by the Council of Independent Colleges in January will include **Richard Artman**, president of **Viterbo University**; **Mary Meehan**, president of **Alverno College**; and **Lynn Joyce**, presidential spouse at **Ripon College**.

### NEW PROGRAMS AND MAJORS

- The Leadership Center at **Cardinal Stritch University** has launched the African-American Leadership Program, a nine-month experience designed to unleash the talent of African-American professionals for personal, organizational, and regional gain.
- **Marquette University** has approved the establishment of a Center for Real Estate, to be housed in the College of Business Administration. The CRE will focus on advancing real estate knowledge and enhancing business practices through education, research, and outreach to local and national audiences. Marquette is also bringing back 11 past participants to serve as mentors and for continuing education in its ACRE program. ACRE, Associates in Commercial Real Estate, is Marquette's industry-supported initiative that recruits and trains minorities for commercial real estate careers.
- **Marian University's** Master's in Leadership will include a concentration in Criminal Justice Administration starting next spring. The program is designed for criminal justice professionals who want to develop leadership expertise and enhance their knowledge of the

continued on page 8

## THE WISCONSIN INDEPENDENT

Vol. 40, No. 4, Winter 2008-2009

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## WAICU BULLETIN BOARD *continued from page 7*

profession.

• **Lawrence University's** class of 2012 will be the first to complete a newly launched Senior Experience program. When it is fully implemented, every Lawrence senior will plan and execute a significant project such as a major research paper, collaborative creative work, or academically based field experience as a graduation requirement. The program will be financed by a \$350,000 grant from the Andrew W. Mellon Foundation.

• **Cardinal Stritch University** has launched an entirely online version of its Master of Business Administration program. In the online format, students will have the convenience of working from their computer while completing one course at a time. A 24/7 High Tech/High Touch Concierge Support Service will be utilized to make the online experience as smooth as possible.

• **Mount Mary College** will expand its successful Urban Education Fellows Program, which trains professionals who already have a bachelor's degree for new

careers as teachers. The two-year program helps students earn their teacher's license and a Master of Arts degree in education.

### EDUCATIONAL COLLABORATIONS

• After almost a decade apart, **St. Norbert College** and the National Politeknik University in Kharkov, Ukraine, have signed a "Friendship Agreement" as a foundation of future cooperation. The new agreement allows both to explore joint faculty projects, student exchanges, and friendship exchanges by sports teams and campus musical groups.

• In cooperation with Columbia St. Mary's Hospital, **Mount Mary College** has added a major in Diagnostic Medical Sonography to its undergraduate offerings.

George Feabody (1795-1869)

"Education: A debt due from  
present to future generations."

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# MICHAEL BEST

& FRIEDRICH LLP

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## MEMORANDUM

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**TO:** Committee on Environment  
**FROM:** Linda H. Bochart, Michael Best & Friedrich LLP  
**DATE:** April 9, 2009  
**SUBJECT:** Senate Bill 126

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Thank you Chair Miller and members of the Senate Committee on Environment for the opportunity to submit written testimony in support of Senate Bill 126. This legislation makes valuable improvements to two important environmental initiatives: the Environmental Compliance Audit program (a/k/a the Environmental Improvement Program) and the Green Tier program (a/k/a the Environmental Results Program). The modifications included in Senate Bill 126 are limited and designed to improve these already effective programs. Most importantly, Senate Bill 126 eliminates the sunset provisions from both programs so that they will continue to function and deliver benefits to the environment and citizens of Wisconsin.

As a member of the Green Tier Advisors to the Wisconsin Department of Natural Resources (WDNR), I am currently working with WDNR staff and the other Advisors to advance and improve the goals of these two important programs. Before going into private law practice, I was privileged to serve with WDNR and the Wisconsin Department of Justice for 17 years in various environmental legal and management roles. My professional experience has taught me that the environment is best served by creative approaches to environmental improvement based upon collaboration rather than command and control. The work I have done with clients has convinced me that an atmosphere that encourages the conduct of audits to find and correct deficiencies will prevent many more problems than one that makes people afraid to look because of the potential penalties they may face if they find something.

Because of my professional experience, I fully support the Environmental Compliance Audit Program which encourages regulated entities to conduct environmental audits and correct the deficiencies they identify. Modeled in large part on the Environmental Protection Agency's Audit Policy, the Environmental Compliance Audit Program removes the risk of significant financial penalties, thus facilitating the conduct of audits and the resulting environmental improvements. The Environmental Compliance Audit program is the foundation of an innovative environmental compliance audit program currently underway on 16 of the private college and university campuses in Wisconsin, under the leadership of the Wisconsin Association of Independent Colleges and Universities (WAICU). I commend WDNR staff for their support of the WAICU-led effort, and I understand the Committee will receive testimony from WAICU President Wegenke in support of Senate Bill 126, who can tell you more about this initiative.

The Green Tier program promotes and rewards "superior environmental performance" by regulated entities ranging from manufacturers and developers to municipalities and agribusiness. Green Tier's focus on continuous improvement and use of environmental management systems has incentivized positive environmental outcomes. This program's

emphasis on collaboration and innovation enables companies to address their environmental impacts in creative ways that contribute to the bottom line and earn them appropriate public trust and recognition. In these challenging economic times, when private sector resources are stretched to the limit and government resources are increasingly scarce, having a program in place that emphasizes re-thinking how we do things so we can do them better and more effectively deserves support.

For the reasons described, I respectfully urge your full support for passage of Senate Bill 126. Thank you very much for your attention to this important matter, and please do not hesitate to contact me should you have any questions.

Q:\FIRM\099999\3246\B1767970.1



## John Muir Chapter

Sierra Club - John Muir Chapter  
222 South Hamilton Street, Suite 1, Madison, Wisconsin 53703-3201  
Telephone: (608) 256-0565 Fax: (608) 256-4562  
<http://wisconsin.sierraclub.org>

April 14, 2009

### MEMO

TO: Senate Committee on the Environment

FROM: Eric Uram, Conservation Chair, Sierra Club- John Muir Chapter

RE: Comments regarding SB 126 - Relating to the Environmental Results and the Environmental Improvement Programs.

Thank you for the opportunity to provide our position on SB 126 on behalf of the 15,000 Wisconsin members of the Sierra Club's John Muir Chapter.

SB 126 covers two very different programs. The Environmental Results Program, known as Green Tier that provides recognition for beyond compliance behavior and regulatory incentives for self-regulation. The other program, Environmental Improvement, known as the Compliance Audit Program, encourages self-regulation but without requiring participants to meet a clean slate (no recent violations) nor make a commitment to beyond compliance behavior.

Green Tier is the "high road" program. The Sierra Club joins others in commending Green Tier participants and the DNR for their commitments and successes. The Compliance Audit Program is the "low road" and causes the Sierra Club concern.

The Sierra Club has been actively involved in both the state and national dialogues on "beyond compliance" behaviors. Because of the legal and regulatory structure of permitting pollution as a right held by industry and consumer alike, environmental groups have always struggled with the challenge of how to advance the level of environmental protection and restoration significantly beyond what is achieved under current policy and practice. Sierra Club members generally typify the beyond compliance performer and we would like to see more of this behavior institutionalized.

The EPA has, at this time, decided to suspend the Performance Track Program. Green Tier was designed to promote and prepare Wisconsin entities for participation in this national program. Properly designed and implemented performance/leadership programs are valuable, possibly essential, tools to achieve a level of performance necessary for sustainability. At the end of this testimony, we have included principles that need to be applied for Green Tier to excel.

The Sierra Club makes the following specific comments on the Green Tier portion of SB 126, pages 4-13.

- The following sections are supported: 1-18, 20-29 and 31-33.
- Section 19 gives the DNR secretary authority to waive clean slate (no recent violations) eligibility requirements to participate in either Tier 1 or II of Green Tier. The original purpose of this section was to allow more participants to join the program in its early years. That is why the section begins with the words: "Before January 1, 2007." Since 2007, this waiver provision has been forbidden. Instead of removing the date, provision to §299.83 (5) (e) of the statutes should be completely repealed. The Sierra Club is uncomfortable with giving this discretion to the DNR secretary given the fact the secretary is a political appointee and subject to the hire-fire decision of the Governor. As a result, the DNR secretary is subject to political pressures unrelated to protecting environmental and public health consequences of these waivers of violations.
- Section 23 provides a welcome addition to smooth the transition of participants in the predecessor program, the Environmental Cooperation Pilot Program, §299.80, Wis. Stats.
- Section 30 expands the Charter provisions of Green Tier without requiring the same eligibility requirements and participation commitments of participants to Tier 1 or 2. The Charter provision has attracted only a few participants, but they have performed rather well. The Sierra Club objects that section 30 appears to grandfather several pseudo-charters

into the Green Tier program that are unworthy of Green Tier status without additional efforts to meet the transparency, EMS and beyond compliance behaviors of the current Green Tier charters. This dilutes the value of the Green Tier recognition incentives.

The portion of SB 126 from section 34 on page 13 through the end of the bill refers only to the Compliance Audit Program.

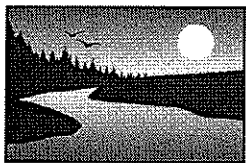
- Environmental permit holders should be encouraged to conduct their own compliance audits as a normal part of monitoring their activities and remaining in compliance with their permits. ISO 14001 and environmental management systems (EMSs) include compliance audits.
- However, §299.85 Wis. Stats. offers unwarranted protection for violators and the opportunity to "game the system" by substituting self-enforcement for a more pro-active DNR compliance monitoring and enforcement system. Many of the advantages of the Compliance Audit Program are already available to permittees under the DNR's "stepped enforcement" procedures. But the normal DNR procedure does not offer the certainty of a safe harbor from forfeitures and penalties that is found in §299.85.
- The Sierra Club has consistently objected to §299.85 and again requests that it be repealed.
- Sections 34-35 and 37-42 make appropriate wording changes. Section 36 should not delete lines 6-8 because departmental citations are often serious violations of the law that can be quickly resolved.
- Review of the annual reports on this program indicate that additional categories need to be added to §299.85 (9m) (b), Wis. Stats., better identify the nature of violations reported to DNR. Currently the vast majority of violations are listed as "other" which is not informative.
- Also the reviews of the annual reports for this program indicate that data on the days to accomplish correction are not captured unless the corrective action exceeds 90 days. A requirement should be added to summarize the number of corrective actions that took less than 30 days, 30-59 and 60-90 days to correct.
- But the bottom-line is that program should be allowed to sunset per §299.85 (11).

-----  
Per internal discussions, please accept the following principles as necessary elements for programs like Green Tier and Performance Track to excel.

- Enforceable rule-based programs will be an essential foundation of any future environmental / sustainability policy regime.
- Sustainability encompasses consideration of resources, energy, public health, economics, and community..
- Achievement of sustainability will not be achieved solely by setting minimums for emissions and discharge.
- Environmental and sustainability considerations must be embedded in all decisions for material use, energy use, chemical use, waste generation, and end-of-life disposition.
- Achievement of sustainability will require a substantially higher level of performance in many areas beyond environmental protection and restoration.
- Community leaders can play a critically important role in demonstrating how such higher level of integrated performance can be achieved.
- Leaders should not be seen as permanent outliers from the community, but as leaders who show the way to the larger community.
- Government at all levels should create an environment that encourages, supports where necessary, and learns from the community of leaders as they achieve performance outcome beyond the status quo.
- Learning from the leadership community should be used to create new baselines for performance for the larger community as a whole.

The EPA Performance Track Program had its strengths and weaknesses, and certainly has its supporters and detractors within our community. Green Tier should not repeat the mistakes made by Performance Track. As of now, EPA is proposing to reanalyze their program. We feel this is an opportune time to review Green Tier and insure this program will achieve the desired results and not become a safe haven for political favoritism and meaningless dialogue that fails to invite all segments of the community-at-large to participate. For the reasons stated above, we believe that performance-based programs have great potential if they have the correct focus and are based on sound principles. These programs should never provide escape mechanisms from strict regulatory requirements or oversight. They should always support leadership that demonstrates what is truly possible. On the behalf of Sierra Club, we offer to assist in manners you and WDNR deem appropriate for enhancing the role of Green Tier as EPA considers the role of performance and leadership in the development of any extra-regulatory programs through their review of Performance Track.





# RIVER ALLIANCE of Wisconsin

April 14, 2009

Senator Mark Miller, Chair, Senate Committee on the Environment  
Members of the Senate Committee on the Environment  
201 Southeast  
State Capitol

RE: SB 126, Reauthorization of the Green Tier Program

Dear Senator Miller and Members of the Senate Committee on the Environment:

The River Alliance of Wisconsin is a non-profit, non-partisan organization representing over 3000 members and supporting over 150 watershed groups around the state. We advocate for the protection and restoration of the state's flowing waters.

Stormwater runoff, from agricultural lands, urban areas and construction sites continues to be the primary source of pollution to rivers and other surface waters in the state. Finding ways to reduce stormwater runoff pollution remains one of the primary goals of the River Alliance. There are two current Green Tier charters focused on reducing \_\_\_\_\_ stormwater runoff, the Dairy Business Association-Green Tier Advancement Program addressing agricultural runoff, and the Clear Waters charter in Dane County. I participate in both charters, and am a member of the Interested Persons Group formed to advise the Dairy Business Association charter.

While the Dairy Business Association charter is just getting underway, the Clear Waters Charter is showing progress. Veridian Homes has taken a series of steps to reduce erosion and runoff during construction of single family homes, a primary source of sediments in our waterways. I look forward to seeing concrete results from other Green Tier participants, especially in the reduction of stormwater pollution.

The Green Tier program is an opportunity to complement, not replace the current regulatory programs, for those businesses and industries truly committed to improving their environmental performance, and therefore I support reauthorization of the Green Tier program through SB 126. The program is also an opportunity to dispel the myth that what's good for the environment can't be good for business, and I support the revisions to the legislation that encourage participation, both in the Green Tier and the environmental compliance audit program.

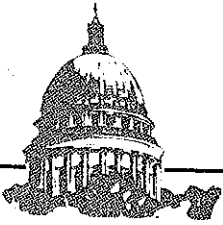
One of the recommendations of the Green Tier Advisors carried forward in SB 126 encourages the participation by "interested persons" in both developing and implementing Green Tier contracts (ss 299.83(6)(a)). As an "interested person" in the

Dairy Business Association charter, I believe outside parties provide a valuable role in the process, and support the bill language as written.

As the skeptical environmentalist, I believe DNR has managed the Green Tier Program to ensure my initial fears – that businesses may use the program to backslide – have been quelled. I am optimistic the Green Tier program can enhance environmental performance, and is one more tool in the box to a cleaner Wisconsin.

Sincerely,

Lori Grant  
Water Policy Program Manager



# MARK MILLER

## WISCONSIN STATE SENATOR

P.O. Box 7882 Madison, WI 53707-7882

### Testimony before Senate Environment Committee

April 14, 2009

Senate Bill 126

I am happy to be here today with Sen. Kedzie, Rep. Clark and Rep. Tauchen to speak in favor of SB 126 which reauthorizes the Green Tier program. (Environmental Results Program)

Green Tier is based on a collaborative system of contracts and charters crafted jointly by participating businesses and the DNR. These contracts and charters streamline environmental requirements in many cases and encourage new environmental technologies

Green Tier was initially authorized for a 5 year period which ends in July of 2009. In the past 5 years, Green Tier has proved itself to be an innovative and successful program, achieving superior environmental results, warranting the removal of that sunset date.

A Green Tier Advisory committee was created as part of the original legislation. That committee has been working with the Green Tier program since the beginning and has developed a set of legislative recommendations for program improvements. This bill is based on the recommendations of the Green Tier Advisors.

The legislation does the following:

- Removes the sunset dates for both Green Tier and the Compliance Audit Program
- Formally changes the names of the Environmental Results Program and Environmental Improvement Program to their common names of Green Tier and Environmental Compliance Audit Program
- Allows for smooth transitions for companies participating in the Environmental Cooperation Pilot Program (Green Tier's predecessor) to Tier 2 status
- Allows for reporting of violations that are discovered through a company's environmental management system, not just through an annual audit
- Allows the Department to issue a charter to an association of entities that are not yet in Green Tier to either facilitate entry to the program or take actions to achieve superior environmental performance
- Makes various technical changes recommended by the Green Tier advisors



## Public Hearing

Senate C. on Environment

Tuesday, April 14, 2009

10:00am, Rm. 300 SE

## Testimony – SB 126 *Green Tier Reauthorization*

I am happy to be here today with Senator Miller and Senator Kedzie to speak in favor of SB 126, which reauthorizes the Environmental Results Program, now known as Green Tier.

Senator Miller provided background on the history of the Environmental results Program – now Green Tier. The Green Tier program complements our states necessary regulatory role in protecting the environment with an effort that focuses on voluntary participation, recognition of superior performance, innovative approaches, collaborative partnerships, and continuous process improvement. The heart of Green Tier is the adoption of Environmental Management Systems by participating companies that guide them through a 4 step process of evaluation and planning, implementing improvements, monitoring results, and adjusting practices based on new information.

SB 126 calls for re-authorization, fine tuning, and expansion of the Environmental Results Program in order to accomplish three objectives:

- Create higher levels of environmental performance with increased numbers of participants delivering superior environmental performance, and realizing increased business value through recognition and flexibility.
- Create certainty about the future of the program and the requirements of the program while updating provisions of the law to reflect changes in standards and practice since the law's original passage.
- Improve the administrative efficiency of the program so that more staff resources can be directed to working with prospects for and participants in the program.

It is worth noting that due to the cooperative and innovative work that has been done by the Department, partners and participants in the original Environmental Cooperation Pilot Program, all of the original participants have exercised their option for renewal of the agreements.

An especially valuable provision has been added in this legislation to expand the potential use of and value derived from "charters", or associations of businesses, municipalities or other entities cooperating together under Green Tier to achieve improved environmental performance. The provisions to allow charters allows us to address broad environmental problems that in many cases cannot be effectively addressed by a single entity acting alone.

The Green Tier Program brings in a diverse range of businesses and institutions that reflect that diversity of Wisconsin's economy. Current Green Tier partners include:

- American Transmission Company
- Roundy's Supermarkets
- Edgewood College
- The Boldt Company
- Kimberly Clark
- Veolia ES Technical Solutions
- 15 Municipalities under the Mercury Green Tier Charter

As businesses, municipalities, universities and other organizations have found consistently that improving environmental performance is not only good for the environment, its good for the public and its good for businesses. Nobody wants to be in the business of purchasing materials that end up in the environment. The Green Tier Program is a powerful tool for Wisconsin to support better business and a cleaner environment. I hope you will join me in supporting SB 126 and re-authorizing the Environmental Results Program.

Senate Environment Committee  
Senate Bill 126  
Testimony of Mark McDermid for  
Wisconsin Department of Natural Resources

Thank you Chair Miller and members of the Senate Environment Committee. It is a pleasure and an honor to appear before you in support of Senate Bill 126. This bill enables Wisconsin to continue in a leadership role for environmental leadership programs in the United States. The reauthorization, improvement and expansion of the Green Tier and Environmental Audit programs affirms Wisconsin's commitment as one of only 5 states with a statutory foundation for environmental performance management. As you know, this does not replace existing, traditional regulatory programs to address environmental issues. But this legislation does affirm what we have learned over the past five years, that Green Tier can provide additional tools to institutionalize superior environmental performance and build relationships that yield advantages for both business and the environment.

Green Tier has been a fundamental part of Governor Doyle's Grow Wisconsin Plans and Next Generation Manufacturing initiatives. The Governor and the DNR Secretary have used the tools in Green Tier to reinforce the commitment to build economic growth while improving Wisconsin's quality of life and environmental performance. Green jobs, green recovery and green branding have become a routine part of our interactions with business to explore how we can increase our competitive position and to increase profitability. Sustainability is no longer just a concept but something that is institutionalized through the tools in the Green Tier law.

Wisconsin first undertook this bold environmental management experiment back in 1996 with the passage of the pilot program. All six of the companies that enrolled in that first pilot are still participating today. The Department has sent annual progress reports to you describing the pilot program's environmental results, economic gains and transparency in environmental decision making. For example, our partners at 3M in Menomonie are the world leader in film production, in part, because of the permitting process which is not only the fastest in the US it is also one of the most environmentally effective in the US. We have a group of pilot program participants that consistently outperform the rest of the state in both environmentally and economically.

In 2004, Governor Doyle combined with bipartisan legislative leadership challenged DNR to expand what was learned in the pilot program by passing the Green Tier law. The Department pursued a balanced and deliberate approach to expanding participation. At present, there are 27 companies with 39 facilities participating in Tier 1 and Tier 2 of Green Tier. In addition, we have 5 charters that are designed to collaboratively work on a broad range of environmental issues ranging from mercury reduction for municipal waste water to superior environmental practices in the agricultural community. The current participants range from 3 employees to over 30,000 employees. While it is still early by comparison to the pilot program, we are seeing environmental and economic results. Let me share two examples. First, as Genmar Yacht Group eliminated hazardous materials in their supply chain they saved \$1.9 million. Second, at Winsert, they eliminated 100% of their process waste water and 100% of their hazardous waste. Through all participants, we can see equally as impressive environmental and economic gains.

The Department looks forward to working with the Senate and Assembly as this legislation moves forward and we are prepared to answer any questions about the program, legislation as proposed and results that have been achieved to date.



# WMC

WISCONSIN'S BUSINESS VOICE

**TO:** Senate Committee on Environment

**FROM:** Scott Manley, Environmental Policy Director

**DATE:** April 14, 2009

**RE:** Senate Bill 126 – Green Tier & Environmental Compliance Audit Reauthorization

---

Wisconsin Manufacturers & Commerce (WMC) appreciates the opportunity to express our support for Senate Bill 126, which would reauthorize and make programmatic improvements to the Green Tier and Environmental Compliance Audit programs.

WMC is the state's largest business trade association, with over 4,000 members in the manufacturing, service, health care, retail, energy, banking, insurance and other service sectors of our economy. WMC is dedicated to making Wisconsin the most competitive state to do business in the nation, and toward that goal, we support consistent, cost-effective and market-driven regulatory approaches that recognize a balance between environmental protection and the competitiveness of Wisconsin's jobs and economy.

The Green Tier and Environmental Compliance Audit programs have proven to be mutually beneficial to the Department of Natural Resources (DNR) and the business community in that these laws have enhanced environmental compliance, environmental performance and environmental protection. WMC supported the enactment of these important laws in 2004, and believes it is critical that the legislature reauthorize these programs to allow their important work to continue. We also believe the programmatic changes proposed to both Green Tier and the Environmental Compliance Audit program will allow the DNR to more efficiently administer these programs, and will ultimately lead to a greater level of participation by the regulated community.

WMC respectfully requests your consideration of a number of minor changes to Senate Bill 126, which are attached for your review. In particular, we ask for your support for deleting the change in Section 20 of the bill, which requires Green Tier applicants to describe how interested persons will be involved in implementing Green Tier agreements. While WMC member companies generally support the involvement of interested third parties in the development of agreements, and continued involvement during the term of the participation contract, placing third parties in an implementation role is not appropriate. Green Tier agreements are a contractual obligation between a business and the DNR. The execution and implementation of that contract should therefore be limited only to the Green Tier participant.

Thank you for your thoughtful consideration of our support for Senate Bill 126, as well as the suggested amendments to the bill. Please feel free to contact me if you have any questions, or if I can provide you with additional information, at (608) 258-3400 or [smanley@wmc.org](mailto:smanley@wmc.org).



# Senate Bill 126 - Green Tier Reauthorization

## Suggested Amendments

299.83 (1) (dg.) (intro.) "Functionally equivalent environmental management system" means an environmental management system that is appropriate to the nature, scale, and environmental impacts of an entity's activities, products, and services and or that includes all of the following elements and any other elements that the department determines are essential elements due to changes in the of International Organization for Standardization standard 14001:

299.83 (6) (a) 1. Describe the involvement of interested persons in developing and implementing the proposal for maintaining and improving the applicant's superior environmental performance, identify the interested persons, and describe the interests that those persons have in the applicant's participation in the program.

(jm) Participation contract. 1. In a participation contract, the department shall require that the participant maintain the environmental management system described in sub. (5) (c) 1. and abide by the commitments in sub. (5) (c) 2. and 3. The department shall include in a participation contract a provision that describes how the participant will attempt to maintain the involvement of interested parties during the term of the participation contract. The department may not reduce the frequency of required inspections or monitoring as an incentive in a participation contract if the audit under sub. (5) (c) 3. is conducted by a person other than an outside environmental auditor. The department shall ensure that the incentives provided under a participation contract are proportional to the environmental benefits that will be provided by the participant under the participation contract. The department shall include in a participation contract remedies that apply if a party fails to comply with the participation contract.



16 North Carroll Street Suite 810 Madison, WI 53703 phone: 608.259.1000 fax: 608.259.1621  
email: friends@1kfriends.org www.1kfriends.org

## Hearing on SB 126, relating to changes to and extension of the Environmental Results Program.

### Senate Committee on the Environment

April 14, 2009

#### Testimony of Stephen Hiniker Executive Director of 1000 Friends of Wisconsin

Thank you, Senator Miller and Committee members, for the opportunity to provide testimony regarding SB 126, the reauthorization of the Green Tier program. 1000 Friends of Wisconsin is pleased to offer its support for SB 126.

We want to take time to thank Senator Miller and Mr. Mark McDermid, the Green Tier program administrator, for all of the outreach efforts directed towards the NGO community. You have provided us with ample opportunities to provide input and to get a better understanding of program. Those efforts have helped to make this program successful.

We support the Green Tier program and we feel that it has the potential to reach constituencies beyond its current audience. We are currently working with broad range of stakeholders to devise a Green Tier Charter that will provide a framework for municipal sustainability programs. Our goal is to provide a state sanctioned, voluntary program that establishes best policies for municipal operations with high standards for environmental performance. We want communities to be able to opt into the program and set goals for environmental improvement and to be able to quantify their superior performance. In exchange, communities will be able to have certain benefits from the state for their participation in the program and the ability to advertise their achievements with a state sponsored "green" label.

The Green Tier program has allowed us to collaborate with a broad range of stakeholders to generate support for the creation of this sustainability program. We have been able to bring together builders, realtors, environmental advocates, municipal leaders, utilities and business leaders to devise a program that promises to bring a heightened environmental awareness and a commitment to protecting the environment from participating communities. Wisconsin Department of Natural Resources staff, including the Green Tier program staff, have been innovative, creative and supportive of our efforts in this program.

Our Green Tier proposal gives us the opportunity to take the recommendations of the Governor's Global Warming and translate them into local policies. We feel that without Green Tier, we would be severely disadvantaged in implementing the non-statutory recommendations of the Governor's Task Force. The Green Tier program gives us the chance to create a charter that will be of national significance.

Again, thank you for your efforts on behalf of the Green Tier program. We offer you our support for the reauthorization of this program.